

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JIMMY ERIC GREEN,

Petitioner,

Case No. 10-12824

HON. JOHN CORBETT O'MEARA

v.

CARMEN PALMER,

Respondent,

_____/

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the court is a report and recommendation to deny Petitioner's application for a writ of habeas corpus, filed July 1, 2011 by Magistrate Judge Paul J. Komives. Petitioner filed objections to the report and recommendation on July 15, 2011.

This court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made. 28 U.S.C. § 636(b)(1)(C). The court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." Id.

Having reviewed the record, it is hereby ORDERED that the report and recommendation is ADOPTED as the findings and conclusions of this court, and Petitioner's application for a writ of habeas corpus is DENIED.

It is further ORDERED that a certificate of appealability is DENIED.

s/John Corbett O'Meara

United States District Judge

Date: August 19, 2011

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, August 19, 2011, using the ECF system and/or ordinary mail.

s/William Barkholz

Case Manager